

SUPREME COURT OF ARKANSAS

No.

IN RE: The Arkansas Lawyers
Assistance Program

Opinion Delivered 1-10-08

PER CURIAM

On December 7, 2000, we established the Arkansas Lawyers Assistance Program (ALAP). Contemporaneously, we adopted rules for ALAP including Rule 2.D(1), which directs the ALAP Committee to establish policies and procedures after reasonable notice to the bench and the bar.

On September 20, 2001, we published such proposed policies and procedures seeking comment from the bench and the bar. By per curiam order of December 13, 2001, we adopted those policies and procedures.

It has been six years since the adoption of the initial policies and procedures. The ALAP program has matured and has acquired practical experience relevant to the matter of policies and procedures. The ALAP Committee now asks us to revisit the issue and adopt a set of policies and procedures that better reflect the day to day activities, responsibilities, and procedures attendant to the effective operation of the ALAP program. To that end, we have been provided a document titled “Arkansas Judges and Lawyers Assistance Program -

Procedure Manual”. That document accompanies this per curiam order and is hereby published for comment. In addition, a “marked up” version of the original procedure manual is provided where the language to be deleted is “stricken through” and the new language appears in *italics*.

The ALAP Committee has explained that the proposed revisions more succinctly and correctly recite appropriate policies and procedure. For instance, a section titled “Clinical Definitions” is adopted. Such definitions were not included in the original policies and procedures but experience has shown that adopting such definitions is essential to appropriate treatment and monitoring. In addition, on infrequent occasion, an attorney who has been active in the ALAP program either surrenders his or her license or is disbarred prior to completion of treatment. Accordingly, the newly proposed policies include a section titled “Transitional Services” making it clear the professional ethical obligations of the ALAP staff require transitional services even though the participant may no longer be an attorney. Also, there are some stylistic changes, and repetitive or redundant language has been eliminated.

Members of the bench and the bar are invited to submit their comments within 30 days of the date of this order. Such comments should be directed to Leslie Steen, Clerk of the Arkansas Supreme Court, Justice Building, 625 Marshall Street, Little Rock, Arkansas, 72201.